

Form PTO-1590

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

P25925

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
10/510,235

INTERNATIONAL APPLICATION NO.
PCT/FR03/00683

INTERNATIONAL FILING DATE
04 March 2003

PRIORITY DATE CLAIMED
04 March 2002

TITLE OF INVENTION
VACUUM MASSAGE DEVICE COMPRISING THE AFFUSION OF WATER OR ANY OTHER SUITABLE LIQUID

APPLICANT(S) FOR DO/EO/US
Elie PIANA and Christian LE STUM

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below.
4. ☐ The US has been elected (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154 (d) (4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern other document(s) or information included:

11. Assignee:
12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
13. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ An Application Data Sheet under 37 C.F.R. 1.76.
16. ☐ A substitute specification.
17. ☐ A power of attorney and/or change of address letter.
18. ☐ Figure of Drawing to be published: 1
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154 (d) (4).
21. ☐ A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4).
22. ☒ Other items or information:
Cover Letter.
Statement of Status as Small Entity.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/510,285		INTERNATIONAL APPLICATION NO. PCT/FR03/00683		ATTORNEY'S DOCKET NUMBER 125925	
23 <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search report has been prepared by the EPO or JPO.....\$ 950.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33 (1)-(4)\$ 750.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$ 790.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,110.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$ 100.00				CALCULATIONS	PTO USE ONLY
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0.00	
Claims	Number Filed	Number Extra	Rate	0.00	
Total Claims	16 - 20 =		x \$18.00	\$ 0.00	
Independent Claims	1 - 3 =		x \$88.00	\$ 0.00	
Petition Fee			+ 1,370.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$ 130.00	
Extension of Time fee in the amount of \$				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 130.00	
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>130.00</u> to cover the above fees is included. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. c. <input checked="" type="checkbox"/> The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0089</u> . d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. e. <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3)). NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055 AT THE PRESENT ADDRESS OF: Neil F. Greenblum GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clark Place Reston, VA 20191 (703) 716-1191					
				SIGNATURE	Robert W. Mueller Reg. No. 35,043
				NAME	Neil F. Greenblum
				REGISTRATION NUMBER	28,394

01/14/2005 GFREY1 00000096 10510235

01 FC:1618

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P25925.P05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Elie PIANA et al.
Appl. No: : 10/510,235 (National State of PCT/FR03/00683)
I.A. Filed : March 4, 2003
For : VACUUM MASSAGE DEVICE COMPRISING THE AFFUSION OF WATER
OR ANY OTHER SUITABLE LIQUID

COVER LETTER**Mail Stop PCT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In order to comply with the requirements for the submission of an English translation of the International application in the above-identified application, and prior to receipt of the Notification which should set a time limit for submission of materials, and further to the filing of the above-identified application and the filing fee on October 13, 2004, Applicant hereby submits:

- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
- A verified English translation of the International application as originally filed (1 page of verification, 9 pages of specification with abstract, 3 sheets of drawings);
- A Statement of Status as Small Entity;
- A Preliminary Amendment; and
- a check in the amount of \$130.00 as payment of the Non-English specification .

The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below-listed number.

Respectfully submitted,
Elie PIANA et al.



Neil F. Greenblum
Reg. No. 28,394

Robert W. Mueller
Reg. No. 35,043

January 11, 2005
GREENBLUM & BERNSTEIN, P.L.C.
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Reston, VA 20191
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Elie PIANA et al.
Group Art Unit : Not Yet Assigned
Appl. No: : 10/510,235
Examiner : Not Yet Assigned
I.A. Filed : March 4, 2003
For : VACUUM MASSAGE DEVICE COMPRISING THE AFFUSION OF WATER
OR ANY OTHER SUITABLE LIQUID

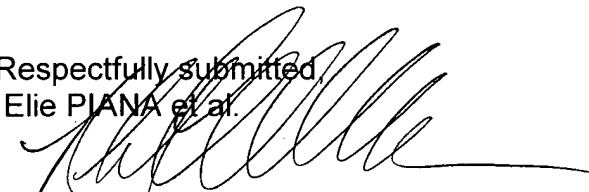
STATEMENT OF STATUS AS SMALL ENTITY

Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

In accordance with 37 C.F.R. 1.27, Applicant(s) in the above-identified application
hereby request(s) status as a small entity for purposes of paying fees.

Respectfully submitted,
Elie PIANA et al.



Neil F. Greenblum
Reg. No. 28,394

Robert W. Mueller
Reg. No. 35,043

January 11, 2005
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
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